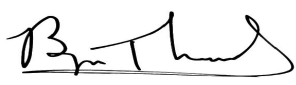


**RICHMOND POLICE DEPARTMENT GENERAL ORDER**

NOTE: This directive is for internal use only, and does not enlarge an employee's civil liability in any way. It should not be construed as the creation of a higher standard of safety or case in an evidentiary sense, with respect to third party claims. Violation of this directive, if proven, can only form the basis of a complaint by this Department, and then only in a non-judicial administrative setting.

Chapter 6	Number 25	Effective Date 11/10/09	Review Date 2012
Subject CARRIAGE OF WEAPONS AND ESCORTED PERSONS ABOARD COMMERCIAL AIRCRAFT			☐ New Order ☒ Replaces G.O. 6-25, (05/16/06)
References CALEA 1.2.2, 71.1.1, 71.1.3, 71.2.1 VLEPSC ADM.06.02a , ADM.06.02b , OPR.07.09a, OPR.08.01a, OPR.08.01b, OPR.08.01d, OPR.08.01e, OPR.09.01b Transportation Safety Administration Title 49 CFR 1544.219, 49 CFR 1544.			
 Chief of Police or Designee		11/10/09 Date	

I. PURPOSE

The purpose of this order is to provide sworn personnel with the knowledge and legal guidelines for carriage of weapons and escorting prisoners aboard commercial aircraft.

II. POLICY

- A. It is the policy of the Richmond Police Department to provide the guidelines for following the rules and regulations set forth by the Transportation Safety Administration (TSA) for the carriage of weapons and persons in custody of law enforcement personnel aboard commercial aircraft. These rules and regulations, ***implemented*** to protect the lives and safety of officers, the public and the person in custody, will guide Department members.
- B. Unless otherwise authorized by TSA, the carriage of weapons aboard commercial aircraft is restricted to full-time law enforcement officers on only those occasions where it is necessary for an authorized person to have a weapon accessible in connection with the performance of his/her duty, during the time that he/she would otherwise have checked the weapon, until such time as it would have been returned to the officer after ***deboarding***.

III. ACCOUNTABILITY STATEMENT

All employees are expected to fully comply with the guidelines and timelines set forth in this general order. Failure to comply will result in appropriate corrective action. Responsibility rests with the Division commander to ensure that any violations of policy are investigated an appropriate training, counseling and/or disciplinary action is initiated.

IV. PROCEDURE

- A. *The transporting officer shall obtain written approval from his/her supervisor and Division Commander before carrying weapons and escorting persons aboard commercial aircraft.*
- B. Carriage of Weapons:
1. Each **Law Enforcement Officer (LEO)** with a requirement to carry a weapon in the cabin compartment of a carrier aircraft because the officer is transporting a prisoner, shall *ensure that at least 24-hours prior to the flight, a National Law Enforcement Telecommunications System (NLETS) message is sent to the TSA. Such message should specify the trip itinerary and also include the anticipated length of flight.*
NOTE: As of July 15, 2009, TSA no longer accepts the original letter of authority for the purpose of flying while armed. State, local and territorial LEOs flying armed must submit an NLETS message prior to travel. The NLETS message will replace the original letter of authority, signed by the chief or agency head, required under 49 CFR 1544.219.
 2. *TSA will return an NLETS message, with an eight-character Unique Alphanumeric Identifier, to be presented at the airport as verification on the day of travel.*
 3. The officer must also present, to the aircraft operator, his/her training card showing proof that he/she has received the *federally-mandated* training “Law Enforcement Officers Flying Armed” in addition to *presenting* credentials that include a clear, full-faced picture and signature of the armed officer.
 4. The officer must notify the aircraft operator at least one hour or, in an emergency, as soon as practical, before departure.
 5. Other Relevant Guidelines:
 - a. The officer must be authorized to have the weapon.
 - b. The officer must notify the airline company, *in advance of the flight*, that he/she needs to have the weapon accessible during the time that the officer has the prisoner in custody aboard the aircraft.
 - c. For positive identification, the officer must show his/her Richmond Police Department identification card and badge to airline company personnel.
 - d. While aboard any aircraft operated by an airline company and on official business, Department members shall not drink alcoholic beverages in compliance with the provisions found in the *Departmental* policies and the City of Richmond’s rules and regulations.
 - e. Department members shall, if not in uniform, keep his/her weapon concealed on his/her person.
 - f. *Prior to escorting persons aboard a commercial aircraft*, all **LEOs** will have completed the formal training program “Law Enforcement

Officers Flying Armed” as regulated by the Transportation Safety Administration.

- g. The officer shall, in advance of travel aboard commercial airlines in circumstances when he/she will need to have his/her weapon accessible, contact the individual airline in order to identify additional guidelines required by that airline.

C. Carriage of Weapons in Checked Baggage:

1. When it is not necessary for the LEO to have his/her weapon accessible while aboard a commercial aircraft, the weapon shall be carried, ***unloaded***, in the officer’s hard-side lock container baggage. The baggage will be locked and only the officer will have the key. Per TSA regulations, the baggage will be carried in an area, excluding the flight crew compartment, which is inaccessible to passengers.
2. The officer shall also report to the airline company that ***an unloaded*** weapon is being carried in the officer’s locked baggage.
3. Prior to boarding the aircraft, the officer will ensure that he/she is advised and understands the airline company’s specific procedures for the carriage of dangerous and/or deadly weapons aboard its aircraft.

D. Escorting Persons in Custody aboard Aircraft:

1. There are certain conditions that must be met by ***LEOs*** who escort persons in their custody by air transportation. These procedures are in addition to the ones previously stated, but do not apply in situations when armed escorts accompany foreign dignitaries or other persons under protective escort.
2. A ***LEO*** who has a person in custody being transported by air transportation is required to:
 - a. Notify the airline company at least 24-hours before ***the*** scheduled departure or in an emergency, as soon as practicable, of the identity of the escorted person and the flight on which he/she will be carried.
 - b. Notify the airline company as to whether or not the escorted person is considered dangerous by the government entity having custody. ***Risk guidelines are as follows:***
 - 1) Low-Risk Prisoners – One armed LEO may control no more than two low-risk prisoners. A minimum of two armed LEOs must control a low-risk prisoner on a flight that is scheduled for more than four hours. Two armed LEOs may control no more than two low-risk prisoners.
 - 2) High-Risk Prisoners – A minimum of two armed LEOs must control one high-risk prisoner ***on a flight***. No other prisoners may be under the control of ***these*** two LEOs. If TSA has authorized more than one high-risk prisoner to be on the flight, a minimum of one armed LEO for each prisoner and one additional armed LEO must control the prisoners. No

other prisoners may be under the control of *these* armed LEOs.

- c. Assure the airline company that the person in custody has been searched and does not have on or about his/her person or property any article that could be used as a deadly or dangerous weapon and would be accessible to the person while aboard the aircraft.
- d. Arrive at check-in counter at least one hour before the scheduled departure. When practicable, board the prisoner before any other boarding passengers and deplane after all other deplaning passengers.
- e. ***Search*** all escorted persons before being transported and ***ensure that he/she*** remains in restraints at all times.
- f. Be seated between prisoner and any aisle.
- g. Be accompanied by another law enforcement officer who has met the above requirements.
- h. Ensure that the escorted person is kept under the officer's surveillance at all times.
- i. Prior to transporting, the escorting officer shall obtain a copy of the signed Waiver of Extradition.

V. **ROLES AND ACCOUNTABILITY**

- A. Officers carrying a weapon and/or escorting persons aboard a commercial aircraft shall:
 - 1. Follow all guidelines, rules and regulations set forth by TSA and the air carrier prior to and for the duration of the assignment;
 - 2. Notify airline company and aircraft operators in advance of travel involving the carriage of weapons, escorting of risky persons and any potentially dangerous situations;
 - 3. Follow all procedures for check-in, in-flight and departure as outlined in this directive; and,
 - 4. ***Receive written approval from their supervisor and Division Commander before carrying weapons and escorting weapons aboard commercial aircraft.***
- B. ***Supervisor and Division Commander shall:***
Grant/Deny permission to officers to carry weapons and escort persons aboard commercial aircraft.